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21	(> - + + + + + + + + + + + + + + + + + +		
22	Counsel for Defendants Global Machinery Comp	oanv.	
23	GMCA Pty. Ltd., and Trapone Corporation Pty.		
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	Girerity. Etc., and Trapone Corporation Fty.	Liu.	
24			TRICT COURT
24 25	IN THE UNITED STAT	ES DIS	
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24 25 26 27 28 29	IN THE UNITED STATE FOR THE SOUTHERN DISTANCE JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND	TES DIS STRICT	Case No. 08 CV 0233
24 25 26 27 28 29 30	IN THE UNITED STAT FOR THE SOUTHERN DIS JENS ERIK SORENSEN, as Trustee of	TES DIS STRICT	OF CALIFORNIA
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24 25 26 27 28 29 30 31 32	IN THE UNITED STATE FOR THE SOUTHERN DISTRICT OF SORENSEN RESEARCH AND DEVELOPMENT TRUST,	TES DIS STRICT	Case No. 08 CV 0233
24 25 26 27 28 29 30 31 32 33	IN THE UNITED STATE FOR THE SOUTHERN DISTANCE JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND	TES DIS STRICT	Case No. 08 CV 0233
24 25 26 27 28 29 30 31 32 33 34	IN THE UNITED STAT FOR THE SOUTHERN DIS JENS ERIK SORENSEN, as Trustee of SORENSEN RESEARCH AND DEVELOPMENT TRUST,  Plaintiff,	TES DIS STRICT	Case No. 08 CV 0233
24 25 26 27 28 29 30 31 32 33 34 35	IN THE UNITED STATE FOR THE SOUTHERN DISTRICT OF SORENSEN RESEARCH AND DEVELOPMENT TRUST,	TES DIS STRICT	Case No. 08 CV 0233
24 25 26 27 28 29 30 31 32 33 34 35 36	IN THE UNITED STATE FOR THE SOUTHERN DISTRICT OF SORENSEN RESEARCH AND DEVELOPMENT TRUST,  Plaintiff,  v.	TES DIS STRICT	Case No. 08 CV 0233
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1	Defendants Global Machinery Company, GMCA Pty. Ltd., and Trapone Corporation Pty				
2	Ltd. ("Defendants"), for their Answer to the Complaint for Patent Infringement, state as follows:				
3	Answers to Numbered Paragraphs of the Complaint				
4	Defendants generally deny all allegations of the Complaint except those specifically				
5	admitted below.				
6	1. Defendants lack knowledge or information sufficient to form a belief about the				
7	truth of the allegations contained in Paragraph 1 of the Complaint.				
8	2. Defendants deny that Global Machinery Company is a company organized under				
9	the laws of Australia, as alleged in Paragraph 2 of the Complaint. The registered name of the				
10	company located at the given address is GMCA Pty. Ltd.				
11	3. Defendants admit the allegations contained in Paragraph 3 of the Complaint.				
12	4. Defendants deny that Trapone Corporation Pty. Ltd. is an Australian company, a				
13	alleged in Paragraph 4 of the Complaint. Trapone Corporation Pty. Ltd. is the former name of				
14	GMC Worldwide Pty. Ltd., with which GMCA Pty. Ltd. is associated.				
15	5. Defendants lack knowledge or information sufficient to form a belief about the				
16	truth of the allegations contained in Paragraph 5 of the Complaint.				
17	6. Defendants lack knowledge or information sufficient to form a belief about the				
18	truth of the allegations contained in Paragraph 6 of the Complaint.				
19	7. Defendants admit the allegations contained in Paragraph 7 of the Complaint.				
20	8. Defendants deny that they have committed acts of infringement in this Distric				
21	therefore, Defendants deny that "venue in this district is proper under 23 U.S.C. §§ 1391 and				

1400(b) because Defendants have committed acts of infringement in this District," as alleged in

22

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Paragraph 8 of the Complaint.

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- 9. Defendants deny that their products infringe Plaintiff's patent; therefore,
- 2 Defendants deny that "this Court has personal jurisdiction over Defendants because they
- 3 manufacture within, import into, offer for sale, and/or sell infringing products in this District," as
- 4 alleged in Paragraph 9 of the Complaint.
- 5 10. Paragraph 10 of the Complaint does not require an answer.
- 6 11. There is no Paragraph 11 in the Complaint.
- 7 12. Defendants admit the allegations contained in Paragraph 12 of the Complaint.
- 8 13. Defendants deny the allegations contained in Paragraph 13 of the Complaint.
- 9 14. Defendants admit the allegations contained in Paragraph 14 of the Complaint.
- 10 15. Defendants admit the allegations contained in Paragraph 15 of the Complaint.
- 11 16. In response to Paragraph 16 of the Complaint, Defendants admit that they have
- been on actual express notice of the '184 patented process since at least October 15, 2004.
- 13 Defendants lack knowledge or information sufficient to form a belief about the truth of the
- allegation that they have been on actual express notice since September 21, 2004.
- 15 17. In response to Paragraph 17 of the Complaint, Defendants deny that they have
- 16 engaged in design, manufacture, import, sale, and/or offer to sell within the United States
- 17 products that have dual-layer external plastic housings manufactured using the '184 patented
- 18 process.
- 19 18. Defendants deny the allegations contained in Paragraph 18 of the Complaint.
- 20 19. Defendants admit the allegations contained in Paragraph 19 of the Complaint.
- 21 20. Defendants deny the allegations contained in Paragraph 20 of the Complaint.
- 22 21. Defendants deny the allegations contained in Paragraph 21 of the Complaint.
- 23 Defendants deny the allegations contained in Paragraph 22 of the Complaint.

- 23. 1 Defendants deny the allegations contained in Paragraph 23 of the Complaint.
- 2 24. Defendants deny the allegations contained in Paragraph 24 of the Complaint.
- 3 25. Defendants deny the allegations contained in Paragraph 25 of the Complaint.
- Defendants deny the allegations contained in Paragraph 26 of the Complaint. 4 26.
- 5 27. Defendants deny the allegations contained in Paragraph 27 of the Complaint.
- 6 28. Defendants deny the allegations contained in Paragraph 28 of the Complaint.
- 7 29. Defendants deny the allegations contained in Paragraph 29 of the Complaint.
- 8 30. Defendants deny the allegations contained in Paragraph 30 of the Complaint.
- 9 Defendants further deny that Plaintiff is entitled to the relief requested in the Prayer for 10 Relief contained in the Complaint.

## 11 **Affirmative Defenses**

- 12 1. The Complaint fails to state a claim upon which relief may be granted.
- 2. 13 Plaintiff has failed to establish that this Court has personal jurisdiction over
- 14 Defendants.
- 15 3. Plaintiff has failed to establish that venue is proper in this Court.
- 16 4. Defendants have not directly infringed, contributed to the infringement of,
- 17 induced the infringement of, or willfully infringed any claim of the patent that Plaintiff accuses
- 18 Defendants of infringing, either literally or under the Doctrine of Equivalents.
- 5. 19 The patent that Plaintiff accuses Defendants of infringing is invalid.
- 20 6. Plaintiff is not entitled to treble damages.
- 21 7. Plaintiff is not entitled to attorney fees.
- 22 Defendants reserve the right to add to, supplement, or amend their list of affirmative
- 23 defenses as discovery proceeds.

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1	WHEREFORE, Defendants respectfully request the Court to enter judgment dismissing					
2	the Complaint in its entirety and awarding Defendants their costs incurred in connection with this					
3	action, including reasonable attorneys fees, and all other such relief as the Court deems just and					
4	proper.					
5	Date: April 11, 2008					
6 7	Respectfully submitted,					
8 9	/s/ Cassandra L. Wilkinson					
10	Thomas W. Ferrell					
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12	Charles F. Reidelbach, Jr.					
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29	Facsimile: (918) 584-1718					
30	(510) 66. 1716					
31	Counsel for Defendants Global Machinery					
32	Company, GMCA Pty. Ltd., and Trapone					
33	Corporation Pty. Ltd.					
34						
35						
36						

## **CERTIFICATE OF SERVICE**

1

2	The undersigned hereby certifies that on April 11, 200	8, the foregoing	document	was			
3	electronically transmitted to the Clerk of the Court using the ECF System for filing and						
4	4 transmittal of a Notice of Electronic Filing to the following ECF:	ransmittal of a Notice of Electronic Filing to the following ECF registrants:					
5	e	C					
6	6						
7	J. Michael Kaler						
8	8 Kaler Law Offices						
9	9 9930 Mesa Rim Road, Suite 200						
10	,						
11							
12							
13	Melody A. Kramer						
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15	,						
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17		kinson					
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